

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE

U.S. DISTRICT COURT
DISTRICT OF MAINE
RECEIVED & FILED

2024 APR 11 P 1:45

~~Complaint for a Civil Case~~
DEPUTY CLERK

Civil No. _____

(to be filled in by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No
(check one)

Brandon M Heacox
MSP 807 Cushing rd Warren M.E. 04864

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

Bryan Casoway (professional capacity)
Representative of (Wellpath healthcare company)
MSP 807 Cushing rd Warren M.E. 04864

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Brandon Heacox</u>
Street Address	<u>807 Cushing rd</u>
City and County	<u>Warren M.E. Knox</u>
State and Zip Code	<u>04864 Maine</u>
Telephone Number	<u>X 603 556 9363 = (my mother)</u>
E-mail Address	<u>X</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	<u>Bryan Casoway</u>
Job or Title (if known)	<u>Representative for Wellpath healthcare company</u>
Street Address	<u>807 Cushing rd</u>
City and County	<u>Warren Knox</u>
State and Zip Code	<u>Maine 04864</u>
Telephone Number	<u>Unknown</u>
E-mail Address (if known)	<u>Unknown</u>

Defendant No. 2

Name	_____
Job or Title (if known)	_____
Street Address	_____
City and County	_____

State and Zip Code _____
Telephone Number _____
E-mail Address _____
(if known)

Defendant No. 3

Name _____
Job or Title _____
(if known)
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address _____
(if known)

Defendant No. 4

Name _____
Job or Title _____
(if known)
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address _____
(if known)

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

8th Amendment - My right to due process owed to me by medical practitioners. Thus being violated by (malpractice) - Wellpath staff not following standards.

14th Amendment - My right to Life-Health, Liberty, and pursuit of happiness. Thus being violated by (malpractice) from Wellpath staff failing to follow standards and

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) Brandon Heacox, is a citizen of the State of (name) Maine.

there for causing me immense pain and suffering. Infringing on my right to (Life) and (Health)

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) Bryan Casoway, is a citizen of the State of (name) Maine. Or is a citizen of (foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) _____, is
 incorporated under the laws of the State of (name)
 _____, and has its principal place of
 business in the State of (name) _____. Or is
 incorporated under the laws of (foreign nation)
 _____, and has its principal place of
 business in (name) _____.

(If more than one defendant is named in the complaint, attach an
 additional page providing the same information for each additional
 defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant
 owes or the amount at stake—is more than \$75,000, not counting interest
 and costs of court, because (explain):

\$50,000 owed to me/plaintiff for damages.
 \$50,000 requested to be paid to me by Bryan Casoway
 for punitive damages to prevent his company Wellpath
 from contravening to harm people through staffs
 malpractices. And his failure to hire competent
 employees and monitor their work.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as
 briefly as possible the facts showing that each plaintiff is entitled to the damages or other
 relief sought. State how each defendant was involved and what each defendant did that
 caused the plaintiff harm or violated the plaintiff's rights, including the dates and places
 of that involvement or conduct. If more than one claim is asserted, number each claim
 and write a short and plain statement of each claim in a separate paragraph. Attach
 additional pages if needed.

Please
 See attached

1 of 4
 ↓

November of 2023 I was transfered from NH state prison
 to Maine state prison. My medications were transfered from NH to M.E. I also told medical that
 I'm suppose to have a Inhaler due to asthma. On December 23rd of 2023, after giving me these
 meds for 2 weeks or more, Medical staff (Miriam Davidson) (the last person to fill my med's) forgot
 or ignored to refill my medications. I was on and still on (2) strong tranquilizers for Anti-
 Psychosis, and a strong dose of the opioid medication ~~Suboxone~~ (Suboxone) so for the 23rd
 24th, and 25th I went without (one) of the tranquilizers, and from 23rd, 24th, 25th, and 26th
 of December 23, I suffered severe withdrawals from Not having the 2nd trans and not
 having the suboxone. 4 days no suboxone. Medical standards allow any patient that's to be
 off suboxone for any reason to utilize the "weaning" "off" process due to the obviouse
 Pain suffered from withdrawals of a opioid medication. The adverse reactions from
 withdrawals of (tranquilizers) is (Inability to sleep) and for 3 days and nights I
 could not sleep due to this, causing me to be forced into psychosis on top of suffering
 from opioid withdrawals. I also had no relief from opioid withdrawals via (sleep) →

Page 2 of 4 [statement of claim continued]

— When confronted with my begging for my meds, I was met with disrespect by nursing staff with a (Not my problem) attitude.

4 whole days passed of my (governance), (sick call), and (begging) for relief from these severe withdrawals.

For Christmas of 2023, I spent puking in my toilet every meal I was given, laying covered in sweat but freezing, feeling of being under the worst disease/FLU, or any other sickness I could even imagine. (These) were in fact, the worst 4 days of my life.

On December 26th, I was finally given (1) medication at night time. Not Suboxone, but my "Buantipine" tranquilizer, also known as "Savagull".

That night I finally got some relief from sleep. I wake up throughout the night to puke or gag into my steel toilet, and covered in sweat, shivering cold. The next morning 27th of December 23, I was "FINALLY" given my Suboxone. And 30 minutes later I felt ALOT better.

That night I was given both tranquilizers.

That ends that particular part of the Malpractice.

The next part refers to my need for a inhaler due to asthma.

I came to Maine state prison, from NH state prison "prescribed a inhaler". I told medical staff the day in November of 23, that I came here to Maine that I (NEED) a inhaler. I told staff (this) for 3 months until I was finally given a inhaler in [February of 2024]. I wrote several sick calls from December of 23 to February of 2024 stating / Begging for a inhaler, and suffering a [severe Almost Fatal] Asthma attack on January 12th of 24. I mention that on a sick call and I'm forced to go on treated and without a inhaler for (Another) month! I experienced a asthma attack on January 12th 2024 when a inmate in the cell next to me —

Page 3 of 4 [continued]

— was "peppersprayed". I went into a instant asthma attack. I could not breath at all. I banged on my door, A co told me that "the nurse will be here in a minute to pass out meds so wait."

The nurse did infact come in a moment later, I begged for a inhaler, suffering from obviouse lack of breath, She looked into her cart, and said ["I have no inhaler for you, I'm sorry but theres nothing I can do."] I panicked, I literally almost died. I laid on my bed and literally (passed out) from [eFixiation]. I wake up a hour later, fine, and no one came to check on me. I started then to feel like I was literally living in HELL, ~~was~~ where the medical staff can do, or not do whatever they want.

Obviouse medical standards prevent patients from having to suffer from (Nurse/perscriber/providers) failures to Re order meds I'm suppose to get. (Especially a No-Miss opioid like suboxone).

A standard to compare (IF even needed) IS - Code of M.E. Rule -10. Department of health and human services - (144 - General chapter,) "Rules governing the reporting of sentinel events. Ref's & Annos. Appendix A NQF 2011 list of (Serious Reportable events).

4. Event-care management - § Events - A. Patient death or (serious injury) associated with a medication error. (eg. errors involving the wrong drug [Wrong Rate] [Wrong dose] Wrong patient, wrong time, Wrong preparation, or wrong Route of administration.)

[Wrong rate being (4) consistent missed days/doses, and wrong dose being Omg when should have been 16 suboxone, ~~too~~ 50mg seraxyl, and 7.5 Remeron, as well as a elbusteral inhaler.] - (Thus causing serious injuries via - opioid and Tranquilizer withdrawals, and a near fatal asthma attack without a inhaler.)

continued →

Page 4 of 4 [continued]

Additional specifications from the same standards/sentinel events

C: Drug interactions for which there is a known potential for death or (serious injury). via 1: Known need/script of opioid medication, and Common Knowledge, especially medical knowledge that withdrawals from that would be (seriously painful.) via 2: Known need of a inhaler, and obvious potential for not only a (near or fatal) asthma attack, but even (after a near fatal asthma attack) is reported to continue to ignore my need for a inhaler.

Implementation guidelines: Occurrences where a patient dies or suffers a serious injury as a [Result of failure to administer a prescribed medication]

via 1: Suboxone and tranquilizers and via 2: failure to administer a inhaler in a timely manner causing seriously painful and scary asthma attack.

Applicable settings: (Long-term-health care facilities.)

So, if (these) count as (serious injuries) to health and human services for health care patients, why would these not be serious injuries to (me) in a (long term health care facility) via prison, and receiving medical care here? Do the standards that force medical staff to (prevent) these [injury events] not apply to me? Am I treated with more harm because I am a prisoner.

I have Evidence of complete grievance processes, the commissioners answers and demands to stop grieving, And evidence of sick calls Begging for inhaler for over 3 months and notifying them of my asthma attack.

Under penalty of perjury I Brandon Heacox swear the above statements are TRUE.

Brandon Heacox
4/8/24.

SUPPORT STATEMENTAttached to Exam
packet.

[Additional statement] in support of reason for
suing Mr Bryan Casoway.

I spent many requests from medical for people to take
responsibility for my injuries within (Wellpath's staff).

I couldn't get an answer from Miriam Davidson, the
provider responsible for failure to (Refill)/Reorder my meds.

I couldn't get the grievance process to work. No nurses would
answer me. → meeting on → (on March 28th 2024) ↓

Then upon my demand to "well path administration" to
compensate me for a mere \$4,000 approx, A Man by the name of
"Bryan Casoway" came to Maine state prison to speak with me.

He told me he represented the prisons (wellpath) Firm. He
also said he wouldn't be giving me any money. We had a brief
debate about the missing medications, and I asked him (so, if I
sue wellpath, I can sue you as the Representative of this branch?)

To which he answered, (Yes, that's your right) Again to make
sure I said (so you personally are responsible for well path's staff?)

To which he said (Most certainly.)

So for this very reason, I am to now hold Mr Casoway
responsible for failure to hire competent employees, and failure to
manage/oversee their work to prevent malpractice.

There for, Mr Casoway is the Defendant, being sued by
me in his professional capacity.